

Upgrading Private Roads to Secondary, State-Maintained Roads & the Options Available to You



In order for any private road to be taken into the state secondary system, it must meet the criteria set forth in the brochure "[*Roanoke County's Rural Addition Policy – Getting Your Private Roads Accepted into the Secondary System of State Highways for VDOT Maintenance.*](#)" If your road needs improvements/upgrades in order to meet the State standards, the following options are available to you.

- 1.) Citizen Participation, exclusively – The property owners can upgrade the road at their expense by hiring an engineer to prepare the plans and contractors to complete the necessary improvements to bring the road into adherence with minimum State standards. The property owners would be responsible for obtaining VDOT approval of the construction and would have to post a one (1) year maintenance bond on the road.
- 2.) Special Assessment – Fifty percent (50%) of the cost to bring the streets up to the necessary minimum standards for acceptance could be funded from the County's limited allocation of Rural Addition funds. The other fifty percent (50%) of the cost would be borne by the special assessment (taxation) charged to the landowners. No such special assessment of landowners on such streets shall be made unless the Board of Supervisors receives written declarations from the owners of seventy five percent (75%) or more of the platted parcels of land abutting upon such street stating their acceptance of such assessments. The basis for the special assessment shall be the proportion the value of each abutting parcel bears to the total value of all abutting parcels abutting on the street. No such special assessment on any parcel shall exceed one-third (1/3) of the current evaluation of such property for real estate tax purposes. Such streets are eligible under this provision only if speculative interest does not exist in property abutting such streets. For the purpose of this provision, speculative interest is defined as ownership or partnership in two or more parcels, or equivalent frontage, abutting such streets. Special assessments under this option shall be conducted in the manner provided in §15.2-2404 of the Code of Virginia.
- 3.) Speculative Interest exists – In instances where speculative interest is retained by the landowner(s) and the landowner(s) desire County financial

participation in upgrading the street, the County shall require a pro rata participation by such landowner. Historically, this is the most widely pursued funding scenario for Rural Addition projects in Roanoke County. This option is explained in further detail in the available brochure "*Speculative Interest.....What is it? How does it affect me?*"

- 4.) No Speculative Interest exists – If no speculative interests exists on the parcels abutting the street in question and the landowner(s) do not fund the road improvements, the County could expend funds allocated by VDOT to the Rural Addition program or from other general County revenue and fund the entire road improvement project.

Listed above are some of the options available to you to upgrade your private road to VDOT standards, prior to it being accepted into their maintenance system. Feel free to contact us if you have any questions or need a clarification of the options available to you.

References: Code of Virginia Title 15.2 and §33.1-72.1.

Contact us at:
County of Roanoke
Department of Community Development
5204 Bernard Drive
P.O. Box 29800
Phone: (540)772-2080
Email: [engineering @roanokecountyva.gov](mailto:engineering@roanokecountyva.gov)